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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,134	03/24/2004	Brant Candelore	020699-100400US	5256

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Trellis Intellectual Property Law Group, PC
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SUITE 109
PALO ALTO, CA 94303

EXAMINER

CHEVALIER, ROBERT

ART UNIT	PAPER NUMBER
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2621

MAIL DATE	DELIVERY MODE
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09/26/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/808,134	Applicant(s) CANDELORE ET AL.	
	Examiner Bob Chevalier	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 March 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Boyce et al (P.N. 2004/0244030).

Boyce et al discloses a video recording/reproducing apparatus that shows all the limitations recited in claims 1, and 19-21, including the feature of recording a video event (See Boyce et al's Figure 1), the feature of displaying the recorded video event on a display screen having identified thereon at least one user who is to view the recorded video (See Boyce et al's claim 1, paragraph f), the feature of entering by the user an option associated with the displayed recorded event and displaying the option on the display screen as specified in the present claims 1, and 19-21. (See Boyce et al's claim 2).

With regard to claim 2, the feature of recording the video event on a video recorder as specified thereof is present in Boyce et al. (See Boyce et al's Figure 1).

With regard to claim 3, the feature of the personal video recorder recited thereof is present in Boyce et al. (See Boyce et al's Figure 1).

With regard to claim 4, the feature of the option indicative of the video event being viewed as specified thereof is present in Boyce et al. (See Boyce et al's claim 4).

With regard to claim 5, the feature of the first and the second users specified thereof is present in Boyce et al. (See Boyce et al's claim 1, paragraph b).

With regard to claims 6-7, and 16-17, the feature of the first user entering an option indicating that the recorded video event may be erased by the second user as specified thereof is present in the cited reference of Boyce et al. Applicant's attention is directed to Boyce et al's claim 6, particularly paragraph d).

With regard to claim 8, the feature of recording the video event with the computer as specified thereof is present in Boyce et al. (See Boyce et al's Figure 1, components 21-22).

With regard to claims 9, 12, and 13-14, the feature of registering an interest in the content of the recorded video event as specified thereof would be inherently present in the cited reference of Boyce et al. Since Boyce discloses the capability of assigning a rating to the viewed video event. (See Boyce et al's Claim 6, paragraph d).

With regard to claims 10-11, 15, the feature of protecting the recorded video event from being erased as specified thereof would be present in Boyce et al. (See the capability of assigning a thumbs up rating to the recorded video event as shown in Boyce et al's claim 6, paragraph d).

With regard to claim 18, the feature of displaying the option on a program timer of a personal video recorder specified thereof is present in the cited reference of Boyce et

al. (See Boyce et al's Figure 1, component 25, and claim 2, and page 2, paragraph [0018]).

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bob Chevalier whose telephone number is 571-272-7374. The examiner can normally be reached on MM-F (9:00-6:30), second Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


ROBERT CHEVALIER
PRIMARY EXAMINER

B. Chevalier
September 24, 2007.